

that the device would provide an adequate and effective remedy for disease, bodily weakness, and defects, autotoxemia, poisoning from putrefactive changes occurring in the contents of sluggish intestines, infected teeth, tonsils, sinuses, and other parts of the body, colds, influenza, pneumonia, etc., and worry; that it would equalize the circulation of the blood relieving congestion; that it would relieve pain and other distressing physical sensations; that it would effect relaxation and promote sleep; that it would stimulate normal functioning of the glands and other organs of the body; that it would overcome fatigue and "that tired feeling"; that it would raise the vital tone of the system and increase physical and mental efficiency; that it would exercise revitalizing influence upon the sexual or procreative glands; that it would clear the complexion; and that it would cause absorption of abnormal growths and deposits such as goiter, tumors, and blood clots resulting from hemorrhages due to high blood pressure; for asthma, arthritis, Bright's disease, diabetes, coronary thrombosis, high blood pressure, paralysis, enlarged joints, stiff joints, bronchial cough, bladder trouble, backache, deafness, constipation, eczema, headaches, indigestion, neuralgia, cold extremities, insomnia, lumbago, painful menstruation, nervous breakdown, obesity, rheumatism, sciatica, fibroid tumors, uterine hemorrhages, varicose veins and ulcers, sinus trouble, many difficult chronic conditions, hay fever, catarrhal conditions of the nasal passages, disorders of the prostate gland, hemorrhoids and other affections of the pelvic organs, pain and swelling of the feet, nervous irritability, organic heart trouble, and low blood pressure; and that the device would improve the circulation and elimination and develop a high state of vitality and a greater resistance to every sort of disease. The device would not accomplish such results; it would not be effective for such purposes; and it would not fulfill the promises of benefit stated and implied.

**DISPOSITION:** September 21, 1953. Default decree of condemnation and destruction. On September 23, 1953, the decree was amended to provide for the delivery of the device to the Food and Drug Administration.

**4238. Misbranding of Pedasine device, Electro-Pulse device, and Vita Motor device.** U. S. v. 11 cartoned Devices, etc. (F. D. C. No. 34675. Sample Nos. 33756-L to 33758-L, incl.)

**LABEL FILED:** February 25, 1953, Northern District of Illinois.

**ALLEGED SHIPMENT:** The *Pedasine devices* were shipped by R. A. Fischer & Co., from Glendale, Calif., on or about November 9, 1951, and November 18, 1952; the *Electro-Pulse devices* were shipped by Ray Strahan Mfg., from Los Angeles, Calif., on or about November 7, 1952; and the *Vita Motor devices* were shipped by the Vita-Motor Co., from San Diego, Calif., on or about March 30, 1951, and November 19, 1952.

**PRODUCT:** 11 cartoned *Pedasine devices* with accompanying labeling furnished by the shipper, consisting of leaflets entitled "The Famous Fischer Pedasine Beneficial for Blood Pressure Cases," "The New Pedasine," and "Operating Instructions for the Fischer Pedasine"; reprints entitled "Blood Pressure" and "Diastolic Hypertension"; and catalogs entitled "The Fischer (Glendale) Line of Electro-Medical Apparatus and Accessories."

6 cartoned *Electro-Pulse devices* with accompanying labeling furnished by the shipper, consisting of leaflets entitled "Presenting The Electro-Pulse."

2 *Vita Motor devices* with accompanying labeling furnished by the shipper, consisting of leaflets entitled "The Physiology of Tissue Surge Percussion,"

together with additional accompanying labeling which had been printed upon instructions of the consignee, the Stanley Physical Therapy Equipment & Supply Co., and which consisted of copies of a catalog entitled "The Practical Physical Therapist, Volume 7, January 1951," and containing statements relating to each of the devices.

The devices and their accompanying labeling were, at the time of seizure, in the possession of the Stanley Physical Therapy Equipment & Supply Co., at Chicago, Ill.

Examination showed that the *Pedasine device* consisted of an oblong case with metallic foot plates built into it and that, when plugged into an electric outlet, the device would produce a sinusoidal current; that the *Electro-Pulse device* was a heating and pulsating device; and that the *Vita Motor device* was a vibrator.

LABEL, IN PART: "Pedasine \* \* \* R. A. Fischer & Co. Glendale 3 Calif"; "Electro-Pulse Manufactured by Enn-Tee Electric Company \* \* \* North Hollywood, Calif."; and "The Vita Motor Percusser Spynengine Type D."

NATURE OF CHARGE: *Pedasine device*. Misbranding, Section 502 (a), certain statements in the accompanying labeling of the device were false and misleading. The statements represented and suggested that the device would provide an adequate and effective treatment for high blood pressure, paralysis, arthritis, fallen arches, poor circulation, constipation, flabby skeletal muscles, flabby visceral muscles, and "many other physical conditions." The device would not provide an adequate and effective treatment for such conditions.

*Electro-Pulse device*. Misbranding, Section 502 (a), certain statements in the accompanying labeling of the device were false and misleading. The statements represented and suggested that the device would provide an adequate and effective treatment for rectal and vaginal disorders, chronic constipation, cryptitis, nocturia, prostate hypertrophy, proctitis, prostatitis, acute or chronic endometritis, cervicitis, vaginitis, gastrointestinal neuroses, mucus colitis, hemorrhoids, neurocirculatory disturbances, cephalalgias, and neuropsychiatric cases. The device would not provide an adequate and effective treatment for such conditions.

*Vita Motor device*. Misbranding, Section 502 (a), certain statements in the accompanying labeling of the device were false and misleading. The statements represented and suggested that the device would provide an adequate and effective treatment for amenorrhea, angina pectoris, aneurism of the aorta, pain in the appendix, asthenopia, bronchial asthma, cardiac asthma, atelectasis, bed wetting, catarrh of the bile ducts, pain in the bladder, high blood pressure, congestion of splanchnic blood vessels, congestion of the brain, congestion of the bronchial mucosa, bronchitis, spasmodic broncho-stenosis, cardiospasm, chilblains, chlorosis, cold in the head, spasmodic intestinal colic, constipation, coryza, cough, diabetes mellitus, nervous diarrhea, drowning, pain of duodenal ulcers, dysmenorrhea, nervous dyspepsia, dyspnea from heart failure, congestion of the ear, deafness (middle ear), cardiac and renal edema, electrocution, emphysema, enteroptosis, enterospasm, enuresis, epistaxis, amblyopia, asthenopia, congestion of the eyes, nervous affections of the eyes, inflammation of the gallbladder, gallstone, goiter, hay fever, arrhythmia, heart insufficiency, mitral stenosis, myocarditis, pain in the heart, palpitation of the heart, tachycardia, valvular insufficiency of the heart, weakness of the heart, hemoptysis, hemorrhoids, hepatic colic, hepatic congestion, hiccough, hot flashes at menopause, hyperthyroidism, infantile paralysis, intestinal tympanites, pain in the intestines, prolapsed intestines, catarrhal jaundice.

inflammation of the kidneys, pain in the kidneys, prolapsed kidneys, cirrhosis of the liver, pain in the liver, locomotor ataxia, lumbago, hemorrhage of the lungs, excessive menstruation, painful menstruation, suppression of menstruation, nephritis, neurasthenia, nosebleed, congestion of the ovaries, pertussis, piles, heart weakness in pneumonia, poliomyelitis, pain in the prostate gland, pulmonary atelectasis, pain in the rectum, chronic catarrh of the sinuses, splachnoptosis, enlarged spleen in progressive anemia, pain in the spleen, pain in the stomach, prolapsed stomach, sunstroke, incontinence of urine, pain in the uterus and appendages, subinvolution of the uterus and appendages, vasomotor paralysis, vasomotor spasm, congested viscera, whooping cough, ankylosis, adhesions, generalized atonia, indolent liver and gallbladder, and excess fat. The device would not provide an adequate and effective treatment for such conditions.

The devices were misbranded in the above respects when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: No claimant having appeared, the court entered a decree of condemnation against the *Pedasine devices* on April 7, 1953, and a decree of condemnation against the other devices on July 14, 1953. The court ordered that the devices and their labeling be delivered to the Food and Drug Administration.

#### DRUGS FOR VETERINARY USE

✓ 4239. Misbranding of Blake's Mineral Compound. U. S. v. 14 Bags, etc. Motion for summary judgment granted. Decree of condemnation. (F. D. C. No. 33292. Sample Nos. 13531-L, 13532-L.)

LABEL FILED: June 16, 1952, District of Idaho.

ALLEGED SHIPMENT: On or about October 4 and 11, 1951, and March 3, 1952, the Hy-Life Mineral Co. shipped from Denver, Colo., a number of 105-pound bags of a mineral compound.

PRODUCT: 14 105-pound bags of a mineral compound, 5 cartons of *Blake's Mineral Compound*, and 550 empty cartons in possession of the Globe Seed & Feed Co., Inc., at Twin Falls, Idaho.

RESULTS OF INVESTIGATION: The product contained in the cartons had been repackaged from a portion of a bulk shipment described above. The empty cartons were to be filled with an additional quantity of the product contained from the bulk shipment. All of the cartons had been printed for the consignee in Denver, Colo.

LABEL, IN PART: (Tag) "Hy-Life Mineral Co. Manufacturers of Chemical Products For Livestock Men 2145 Blake Street Denver, Colo."; (bag) "Mineral Compound 105 Lbs. Net."; (carton) "Blake's Mineral Compound \* \* \* Ingredients: (Active) Ammonium Chloride; Potassium Chlorate; Sodium Sulphate; Calcium Carbonate; Tobacco Powder. Red Oxide of Iron is added as a coloring agent \* \* \* Oil of Anise Added \* \* \* Net contents—3½ lbs. Manufactured by Banner Mills Operated by Globe Seed & Feed Co., Inc. Twin Falls, Idaho."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements on the carton label were false and misleading since the statements represented and suggested that the article was effective in the prevention and treatment of bloat in sheep and cattle, whereas the article was not effective for such purposes: "A chemical preparation which, when mixed with salt as directed, is designed for feeding Sheep and Cattle while pasturing in green Alfalfa, Clover or in